

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA, Plaintiff, v. CITY OF BOSTON, MASSACHUSETTS, <u>et al.</u> , Defendants.	Civil Action No. 05-11598 WGY
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Second Supplemental Statement of the Secretary of the Commonwealth
in Response to the Court's June 12, 2007 Order

On Thursday, July 26, 2007, the Massachusetts House of Representatives ordered a special election to fill a vacancy in the First Suffolk Representative District, which includes one precinct that is designated in the Settlement Agreement for the provision of bilingual ballots in English and Chinese. Accordingly, the Secretary supplements ¶ (c)(1) of his Statement and Supplemental Statement in Response to the Court's June 12, 2007 Order by adding the following:

09/25/07 Special State Primary for the First Suffolk Representative District
(scheduled date for delivery of final ballot text to printer: 08/27/07)

10/23/07 Special State Election for the First Suffolk Representative District
(scheduled date for delivery of final ballot text to printer: 09/26/07)

Consistent with the Secretary's Statement filed on July 10, 2007, and his July 11, 2007 Supplemental Statement, assuming that no different agreement is reached with the United States and that no contrary Court Order has been entered, the Secretary remains willing, in order to permit orderly preparation, presentation and resolution of the merits of this case, to implement some or all of the proposed initiatives set forth in Part (a) of his July 10, 2007 Statement, for the precinct within the First Suffolk Representative District that

is designated pursuant to the Settlement Agreement for the provision of bilingual ballots in English and Chinese.¹

Respectfully submitted,

SECRETARY OF THE
COMMONWEALTH OF
MASSACHUSETTS

By his attorney,

MARTHA COAKLEY
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/s/ Peter Sacks

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July 27, 2007

Certificate of Service

I hereby certify that this document was filed through the Electronic Case Filing (ECF) system and thus copies will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF); paper copies will be sent this day to those who are indicated on the NEF as non-registered participants and who are not represented by counsel.

/s/ Peter Sacks

¹ The Chinese Progressive Association has previously indicated its support for the use of candidate photographs on official election materials, but the United States has objected to the use of photographs. See United States' Response to Opposition to the Unopposed Motion to Clarify (Docket No. 87) at pp. 19-20 (July 23, 2007). In light of that objection, the Secretary does not expect to proceed with the use of photographs unless ordered by the Court or agreed to by the United States.